

REMARKS/ARGUMENTS

Claims 18-31 are pending.

Claims 18, 19, 21-23, 25, 26, and 28-30 were rejected under 35 U.S.C. Section 102 for allegedly being anticipated by Kondo et al. (U.S. Pat. No. 5,668,337).

Claims 20, 24, 27, and 31 were rejected under 35 U.S.C. Section 103 for allegedly being obvious in view of Kondo et al.

It is acknowledged that in the Office action mailed April 22, 2004, the examiner accepted the drawings filed on September 25, 2000.

Claims 18-22

Applicants respectfully submit that the cited references does not teach or suggest each and every feature recited in claim 18 as currently amended. For example, claim 18 recites, in part, "a controller which shifts the entire scale of the melody data inputted by the input unit when a frequency of the inputted melody data is not in a predetermined range; a memory which ... stores melody data shifted by the controller when the frequency of the inputted melody data is not in the predetermined range" Kondo et al. do not disclose these features as claimed.

Kondo et al. discloses shifting only one note (event) having a frequency outside of the predetermined range. *Col. 15, line 59 to col. 16, line 8, Figs. 5 and 6.* Kondo et al. do not show shifting the entire scale of the melody data.

Accordingly, claim 18 should be allowed for at least these reasons. Claims 19-22, which depend from claim 18, should be allowed for at least a similar rationale.

Claims 23-24

Applicants respectfully submit that the cited references does not teach or suggest each and every feature recited in claim 23 as amended. For example, claim 23 recites, in part, a controller which changes the frequency spectrum of a melody data inputted by the input unit to produce a melody data whose frequency spectrum is in a range between a first frequency and a second frequency when a frequency of the inputted melody data is not in the range" For

similar reasons as discussed above, Kondo et al. do not disclose the features as claimed in which the frequency spectrum of a melody data is changed.

Accordingly, claim 23 should be allowed for at least this reason. Claim 24, which depends from claim 24, should be allowed for at least a similar rationale.

Claims 25-29

Applicants respectfully submit that the cited references does not teach or suggest each and every feature recited in claim 25. For example, claim 25 recites, in part, “shifting the entire scale of the inputted melody data when the frequency of the inputted melody data is not in the predetermined range” For similar reasons as discussed above, Kondo et al. do not disclose the features as claimed in which there is shifting of the entire scale of the inputted melody.

Accordingly, claim 25 should be allowed for at least this reason. Claims 26-29, which depend from claim 25, should be allowed for at least a similar rationale.

Claims 30-31

Applicants respectfully submit that the cited references does not teach or suggest each and every feature recited in claim 30. For example, claim 30 recites, in part, “changing all of the frequency components of inputted melody data to produce melody data whose frequency components fall within a range between a first frequency and a second frequency when a frequency component of the inputted melody data is not in the range” For similar reasons as discussed above, Kondo et al. do not disclose the features changing all of the frequency components of inputted melody data to produce melody data whose frequency components fall within a range between a first frequency and a second frequency.

Accordingly, claim 30 should be allowed for at least this reason. Claim 31, which depends from claim 30, should be allowed for at least a similar rationale.

Appl. No. 09/669,032
Amdt. sent July 19, 2005
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2644


PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



George B. F. Yee
Reg. No. 37,478

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
GBFY
60504635 v1